

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

Case No. 09-12950
Honorable David M. Lawson

v.

JOHN J. BRAVATA, RICHARD J.
TRABULSY, ANTONIO M. BRAVATA,
BBC EQUITIES, LLC, BRAVATA
FINANCIAL GROUP, LLC, and SHARI A.
BRAVATA,

Defendants.

**ORDER GRANTING HUNTINGTON NATIONAL BANK'S MOTION TO INTERVENE
AND DENYING IN PART THE BRAVATA DEFENDANTS' EMERGENCY MOTION
FOR ORDER TO DIRECT THE RECEIVER TO MAINTAIN LIFE INSURANCE OR, IN
THE ALTERNATIVE, TO TRANSFER OWNERSHIP**

On November 23, 2009, the Court held a hearing on several motions pending in this case, including Huntington National Bank's motion to intervene and the Bravata defendants' emergency motion for an order directing the Receiver to maintain premium payments on an insurance policy on the life of Joanne Bravata or, in the alternative, to transfer ownership of the policy to John J. Bravata. The Court granted the motion by Huntington National Bank and denied in part the Bravata defendants' motion for the reasons stated on the record.

Accordingly, it is **ORDERED** that Huntington National Bank's motion to intervene [dkt. # 91] is **GRANTED** for the reasons stated on the record.

It is further **ORDERED** that the Bravata defendants' emergency motion for order to direct the Receiver to maintain the existing insurance policy on the life of Joanne Bravata or, in the alternative, to transfer ownership of the policy to John J. Bravata [dkt. # 144] is **DENIED in part**.

The emergency payment of the premium, which was due by November 15, 2009, is **AUTHORIZED** *nunc pro tunc*. The Bravata defendants' request to assign the insurance policy on the life of Joanne Bravata to John J. Bravata is **DENIED without prejudice** for the reasons stated on the record.

It is further **ORDERED** that the Receiver is directed to obtain all pertinent records pertaining to the insurance on the life of Joanne Bravata from the Lincoln National Life Insurance Company's custodian of records, and the defendants must cooperate in furnishing such records.

It is further **ORDERED** that the defendants are restrained from changing the name of the beneficiary of the Lincoln National Life Insurance policy on Joanne Bravata's life, or otherwise cancelling, transferring, encumbering, or alienating the insurance policy.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: December 1, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 1, 2009.

s/Teresa Scott-Feijoo
TERESA SCOTT-FEIJOO